GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services –R&B Deptt- Orders of Hon'ble APAT in O.A. Nos. 4056/2012 and 6696/99 and the Orders of Hon'ble High Court in Application No. 3 of 2017 and CC (TR) No. 118 of 2017- Seniority of Sri A. Ramulu, EE (Retd) in the cadre of Dy.EE – Amendment to certain G.Os. – Orders –Issued.

TRANSPORT, ROADS & BUILDINGS (SER) DEPARTMENT

G.O.MS.No. 49 Dated: 02-12-2019

Read the following:

1. Hon'ble Supreme Court Judgements Dt. 24 - 02-1988 in K.Siva Reddy, Vs Govt of A.P & Others & judgement Dt. 16.07.1993 in J.Chandra Sekhara Reddy Vs Arora.
2. Hon'ble, HighCourt Judgement Dt. 23.07.1999 in W.P.No.5834 of 2018 and Batch.
3. Hon'ble A.P.A.T Orders dated 21-06-2004 in O.A.No.6696/99.
4. Hon'ble A.P.A.T. Orders dated 11-12-2013 in O.A.No.4056/2012.
5. From the ENC, R&B., Admn., Lr. No. 3939/Ser.I(3)/2015 Dt. 22.08.2016 & 13.09.2017.
6. Hon'ble High Court at Hyderabad C.C.(TR)118/2017 and application No.3 of 2017 in C.A.No. 636/2014 in O.A.4056/2012.
7. Govt. Memo No. 6030/Ser.(1)/2014 dt. 16.10.2017.
8. From the ENC, R&B., Admn., Letter No. 3939/Ser I(3)/2015 Dt. 16.11.2017.
9. Govt. Memo.No.6030/Ser(1)/2014 Dt. 29.03.2018.
10. From E-in-C(R&B) Admn Lr.No.3939/Ser. 1(3)3930/2015 Dt. 25.11.2019

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ORDER:

1. In the reference 1st read above, Hon'ble Supreme Court in its Judgement Dt. 24 - 02-1988 in K.Siva Reddy, Vs Govt of A.P & Others & judgement Dt. 16.07.1993 in J.Chandra Sekhara Reddy Vs Arora have ordered as follows:

> "*We are, therefore, more than satisfied that neither the appointments nor the inter-se-seniority of those who were appointed in the vacancies prior to December, 31, 1982 was to be disturbed at all while giving seniority to the direct recruits who were to be appointed as per the directions given in K.Siva Reddy case in the vacancies existing as on December'31, 1982 plus the vacancies occurring thereafter till December'31, 1987*".

2. In the reference 2nd read above, Hon'ble, HighCourt in its Judgement Dt. 23.07.1999 in W.P.No.5834 of 2018 and Batch have ordered as follows:

> "*That the promotion of the personal borne on AP Roads and Buildings Engineering Service to the post of Deputy Executive Engineers even in excess of quota of 62½ % for the period from 01-04-1965 to 31-12-1982 cannot be disturbed and the direct recruits appointed during the said period i.e., 01-04-1965 to 31-12-1982 will get seniority only from the respective dates of their appointments and the said issue of seniority for the above period inter se direct recruits and promotes shall not be re-opened*"

(P.T.O)

"*That the Deputy Executive Engineers in (R&B) Department of State of AP regardless of their source of recruitment, be it direct or promotion / transfer and regardless of their quota, are entitled to retain promotions effected and their relevant inter se seniority basing on their first entry into service for the period from 01-04-1965 to 31-12-1982*".

"*The Government orders issued in GO Ms No.314, 38 and 147 shall be scrutinised again and if they are found to be in consonance with the directives above, they shall be treated as final or else, necessary modifications be made to be in tune with the above directives*".

3. In the reference fourth read above, Hon'ble, APAT in its order dated: 11.12.2013 in O.A. No. 4056/2012 filed by Sri A. Ramulu, EE (Retd) have ordered as follows:

"In the light of findings given in O.A. No. 1614/2012 and batch and in the light of setting aside the seniority list, dated: 04.08.2011 and the consequential orders issued by the Government in G.O. Rt. No. 36 dated: 16.01.2012 confirming the said seniority list, the official Respondents are directed to examine the case of the applicant as to what are the circumstances that made to change the seniority of the applicant by sliding him down and consider the request of the applicant to make necessary corrections in G.O.Ms. No. 314 Transport Roads & Buildings Department dated: 29.11.1994 as per the previous orders of the Courts/APAT in O.A. No. 6696 of 1999 by assigning correct position to the applicant and pass appropriate orders regarding the request of the applicant for notional promotion to the applicant as Executive Engineer and further notional promotion to higher posts on that basis retrospectively on par with his juniors after giving opportunity to the applicant. The O.A., is disposed off accordingly. No order as to casts".

4. In the reference sixth read above Sri A.Ramulu EE(R&B) (Retd) has filed C.A.No.636 of 2014 in OA.No. 4056 of 2012 for non implementation of orders of APAT, Dt. 11.12.2019 and it was closed. Later, the CA was reopened by the applicant and thereafter with the abolition of APAT the contempt case was transferred to High Court of Telangana and it was re-numbered as CC(TR.)No.118/2017 in OA.No.4056/2012.

5. In the reference tenth read above the ENC., R&B., Admn., has furnished proposal for amendment to G.O. Ms. No. 37 TR&B(Ser.II) Deptt dt. 23.03.2002, G.O. Ms. No. 129 TR&B(Ser.II) Deptt dt. 17.09.2004 initially in the cadre of Dy.EE in respect of Sri A.Ramulu, EE (Retd) and requested to communicate the amendments to the said GOs.

6. Government, after careful examination of proposal of E-in-C(R&B) Admn and as per the Supreme Court judgements Dt. 24.02.1988 in K.Siva Reddy & others Vs Govt of A.P & others and Supreme Court judgement Dt. 16.07.1993 in J.Chandra Sekhar Reddy, Vs D. Arora and Hon'ble High Court Judgement Dt. 23.07.1999 in W.P.No.5834 of 1988 & Batch and orders of Hon'ble APAT in O.A. Nos. 4056/2012 and 6696/99 and the orders of Hon'ble High Court in Application No. 3 of 2017 and CC (TR) No. 118 of 2017 is here by issue the following amendments to

(Contd. P. 3)

G.O. Ms. No. 37 TR&B(Ser.II) Deptt dt. 23.03.2002, G.O. Ms. No. 129 TR&B(Ser.II) Deptt dt. 17.09.2004 initially in the cadre of Dy.EE in respect of Sri A.Ramulu, EE (Retd) :

(I) GO Ms No. 37 dated 23-03-2002 – Zone VI – Panel Year 1977-78.

(29)	Khaja Fareeduddin	09-08-39	-	26-04-79
(30)	A.Ramulu	30-10-46	-	26-04-79
(31)	P.V.Vasanth	07-09-48	-	01-09-79
(32)	A.Ranga Rao	07-07-25	-	26-04-79
(33)	P.Kishan	02-07-47	-	31-08-80

The existing serial numbers under Zone-VI 30, 32 and 31 may be read as 31, 32 and 33 and further existing numbers from 33 to 56 may be read as 34 to 57 respectively.

(II) G.O – 129 integrated seniority of all zones – Panel year 1977-78

(103)	M.L.N.Chary	08-08-45	VI	26-04-79
(104)	P.Brahmanandam	15-12-45	IV	26-04-79
(105)	A.Ramulu	30-10-46	VI	26-04-79
(106)	G.V.Nageshwara Sastry	25-08-48	I	17-08-79
(107)	P.V.Vasanth	07-09-48	VI	01-09-79

The name of Sri A.Ramulu is placed at appropriate position as per above court orders at Sl No.105 and existing serial numbers from 105 to 306 may be read as Sl No.106 to 307 respectively.

7. The notional promotions in higher cadres in respect of Sri A.Ramulu,EE(R&B) (Retd) will be considered in due course, as per the amendments in accordance with rules.

8. The ENC, R&B., Admn., shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.T.KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The ENC, R&B, Admn.,A.P Vijayawada.
Copy to:
The PS to Principal Secretary to Government TR&B Deptt
The individual through ENC, R&B., Admn.
SE/Sc

//FORWARDED BY ORDER//

SECTION OFFICER